

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2003-363-E - ORDER NO. 2004-242

JUNE 30, 2004

IN RE:	Application of Duke Power for Approval of)	ORDER APPROVING
	an Agreement Between Duke Power and)	AGREEMENT FOR
	Laurens Electric Cooperative for)	REASSIGNMENT OF
	Reassignment of Certain Territory in)	TERRITORY
	Greenville County, South Carolina.)	

This matter comes before the Public Service Commission of South Carolina (the “Commission”) on the Petition of Duke Power (“Duke”) and Laurens Electric Cooperative, Inc. (“Laurens”) for approval of an Agreement for the reassignment of certain territory located in Greenville County, South Carolina. The Petition was filed pursuant to S.C. Code Ann. Section 58-27-650(A) (Supp. 2003), S.C. Code Ann. Section 58-27-660(1) (1976), and 26 S.C. Code Regs. 103-836. At issue is the reassignment of two tracts of property located in Greenville County known as the Country Gardens Development and the Verdmont Development.

FINDINGS OF FACT

1. Duke and Laurens have entered into an Agreement to trade their rights and obligations to provide electric service in the Country Gardens Development and in the Verdmont Development and specifically request that the Commission reassign the subject territory as follows:

a. That Laurens be reassigned to provide service to the Country Gardens Development, inside the newly annexed area of Fountain Inn and

currently assigned to Duke, with the exception of two commercial customers within that area who will be released by Laurens to Duke;

b. That Duke be reassigned to provide service to the entire Verdmont Development, a 52 lot portion of which is currently located within the Laurens assigned service territory.

2. We find and accept the delineation of the tracts to be reassigned as shown in Exhibit C of Duke's Petition for Reassignment filed with the Commission in this matter.

3. We find that the requested reassignment of territory requested by Duke and Laurens to be in the best interest of the public and compatible with certain engineering considerations of both companies.

CONCLUSIONS OF LAW

1. Duke is a public utility within the jurisdiction of the Commission and is, further, an electric supplier as defined by the Territorial Assignment Act, South Carolina Code Ann. Section 58-27-610, *et seq.* (1976 and Supp. 2003).

2. Laurens is subject to the limited jurisdiction of this Commission as an electric supplier pursuant to the Territorial Assignment Act.

3. Upon an agreement between the affected electric suppliers, this Commission has the authority to reassign portions of service areas previously assigned to those suppliers. S.C. Code Ann. Section 58-27-650 (Supp. 2003).

4. Finding that it is in the best interest of the public convenience and necessity to do so, the Commission authorizes the requested territory reassignment.

Wherefore, based on the above stated findings of fact and conclusions of law, the Commission hereby ORDERS the following territorial reassignment:

(SEAL)